WP(C) 6425/2007

BEFORE

HON'BLE MR JUSTICE AMITAVA ROY

Heard Mr B. Chakraborty, learned counsel for the petitioners. Also heard Mr BD Das, learned Standing counsel, Assam State Electricity Board (hereinafter referred to as the 'Board').

For the order which I wish to pass, it is not necessary to go into the factual details. Suffice it to mention that the petitioners are aggrieved by the installation of digital meters for recording the units of energy consumed for which according to them the charges multiplied by several times compared to those payable under the previous arrangement. Though collective representations have been submitted before the concerned authorities of the Board as well as the district administration, no remedial step has yet been taken. Instead, a number of petitioners have been served with disconnection notices for alleged default in making payment of the charges at the enhanced rate.

Mr Das has submitted that if individual complaints are made by the petitioners before the appropriate authorities of the Board ventilating their grievances , those would definitely be looked into and necessary remedial steps would be taken.

He submits that till their representations are disposed of , the petitioners should keep on paying the charges raised on the basis of digital meters.

Mr Chakraborty , learned counsel for the petitioners on instructions submits that the petitioners are ready and willing to submit individual representations disclosing the nature of their complaints about the digital meter.

Upon hearing the learned counsel for the parties and on a consideration of the rival submissions made , this Court closes the petition with the direction to the petitioners to submit individual representations before the concerned Sub Divisional Engineer of the Board within 15 days herefrom. If such representations are filed , the authority concerned would consider the same and pass appropriate orders thereon after making necessary enquiries. Needless to say that , the petitioners would cooperate with the process to be initiated on the basis of their representations. The exercise as ordered should be completed within one month from the date of receipt of the representations. During this period, disconnection notices issued to the petitioners would not be acted upon provided they pay the current charges raised on the basis of the reading in the digital meters installed in their premises/establishments. It is made clear that, if on

the inspection of the digital meters of the petitioners some anomaly or defect is detected leading to inflation of readings resulting in demand of higher charges, the petitioners would be entitled to proportionate adjustments against the dues payable.

The petition stands disposed in the above terms. No costs.